

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Jill Rivera, Deputy Clerk.

- F046715 Trend Homes Inc. v. The Superior Court of Fresno County**
Cause called and argued by Robert Infelise, Esq., counsel for petitioner and by Keith C. Rickelman, Esq., counsel for real party.
Cause ordered submitted.
The court adjourns.
- F047580 Washington v. Superior Court of Kings County, Clerk's Office**
The above-entitled case is submitted for decision.
- F047580 Washington v. Superior Court of Kings County, Clerk's Office**
The appeal is dismissed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F047359 In re H.J. et al., Minors**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F047259 In re H. J. et al., Minors

The order terminating parental rights is reversed. The matter is remanded to the trial court with directions to assure that the department gives notice of the underlying proceedings in compliance with ICWA to the BIA and any identified tribes. Respondent shall document its efforts to provide such notice by filing such documentation and any and all responses received with the trial court. If any tribe responds by confirming that the child is or may be eligible for membership within 60 days of sending proper notice under ICWA to the BIA and any identified tribes, the court shall proceed pursuant to the terms of the ICWA. If no tribe responds, the court may reinstate its order terminating parental rights.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045549 People v. Compelleebec

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F045549 People v. Compelleebec

The judgment is modified to strike the \$480 penalty assessment on the section 290.3 fine. The cause is remanded with directions to the trial court to impose a penalty assessment of \$340 on the section 290.33 fine, and specify that this amount consists of \$200 under section 1454(a) and \$140 under Government Code section 76000(a). The judgment is affirmed as modified. The trial court is directed to prepare an amended abstract of judgment reflecting the modification set forth in this paragraph and to forward a certified copy of the abstract to the Department of Corrections.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047056 In re L. A. et al., Minors

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

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Fifth Appellate District

F047056 In re L. A. et al., Minors

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047063 In re Dominic S., a Minor

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F045584 People v. Nelson

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F047571 In re Tamika C., a Minor; Kern County Department of Human Services v. Tamika C.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F046089 People v. Bella

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F046089 People v. Bella

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F048159 Tami A., v. Stanislaus Co Community Services Agency

The above-entitled case is submitted for decision.

IN THE

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F044866 People v. Packard

The judgment is affirmed. Levy, J.

We concur: Vartabedian, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F046879 In re Curtis S., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F046879 In re Curtis S., a Minor

The matter is remanded to the juvenile court to set a maximum term of confinement in CYA based on the facts and circumstances that brought Curtis before the juvenile court. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045870 People v. Garcia, Jr.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F045870 People v. Garcia, Jr.

The judgment is affirmed. The trial court is ordered to prepare an amended abstract of judgment to show that it was the sentence on count 2 that was stayed and not the sentence on count 3. Copies of the corrected abstract are to be distributed to the proper authorities.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045776 People v. Renfro

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F046547 Figueroa et al. v. Workman Bros. Development Co., Inc.
The parties' request to stay oral argument, filed July 22, 2005, is granted. Oral argument in this matter is continued from September 2005 to December 2005, with a specific date to be determined.